

CITY OF HORSESHOE BAY

ORDINANCE NO. ORD 08-01-22D

DISANNEXATION OF SPARSELY POPULATED AREA ORDINANCE

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS,
PROVIDING FOR FINDINGS OF FACT; DISANNEXING CERTAIN
PROPERTY; PROVIDING AN EFFECTIVE DATE; REPEALER;
SEVERABILITY; AND PROPER NOTICE AND MEETING**

WHEREAS, the City of Horseshoe Bay (City) desires that certain property be disannexed from the City; and

WHEREAS, the property to be disannexed can be fully described as: 15.06 acres out of the Levi Mercer Survey No. 2, Abstract No. 505 consisting of Lots 3, 4, and 5 Golf View Subdivision recorded in Volume 3, Page 78 of the Llano County Plat Records. Beginning at a point being the Southwest corner of this 15.06 acres and being the Southwest corner of said Lot 3 and the Southeast corner of Lot 2.
Thence along the West line of this 15.06 acres and said Lot 3 and the East line of Lot 2 N05° 16'02"E, 714.66' to a point being the Northwest corner hereof and the Northeast corner of Lot 2;
Thence along the North lines of this 15.06 acres and said Lots 3, 4, and 5 the next 5 calls to a point are as follows:
Thence along a curve to the right, with a radius of 777.84', an arc length of 198.91', a delta angle of 14°39'07", and a bearing and distance of S85°53'28"E, 198.37';
Thence S78°33'50"E, 127.16';
Thence along a curve to the right C1, with a radius of 1524.74', an arc length of 99.96', a delta angle of 03°45'23", and a bearing and distance of S76°40'58"E, 99.94';
Thence S74°48'27"E, 379.31';
Thence along a curve to the right C2, with a radius of 120.23', an arc length of 134.11', a delta angle of 63°54'42", and a bearing and distance of S42°51'16"E, 127.27' being the Northeast corner hereof;
Thence along the East line of this 15.06 acres and said Lot 5 the next 2 calls to a point are as follows:
Thence S10°53'48"E, 467.29';
Thence along a curve to the right C3, with a radius of 83.79', an arc length of 146.36', a delta angle of 100°04'58", and a bearing and distance of S39°08'40"W, 128.45' being the Southeast corner hereof;
Thence along the South line of this 15.06 acres and said Lots 3, 4, and 5 the next 3 calls to a point are as follows:
Thence S89°11'09"W, 284.09'; Thence N75°33'02"W, 429.31'; Thence S89°44'40"W, 245.43' to the Place of Beginning; and

WHEREAS, the City is a Type A general law city; and

WHEREAS, the property to be disannexed consists of at least 10 acres contiguous to the municipality; and

WHEREAS, the property to be disannexed is uninhabited; and

WHEREAS, the property contains fewer than one occupied residence or business structure for every two acres and fewer than three occupied residence or business structures on any one acre; and

WHEREAS, the City is authorized by section 43.144 of the Local Government Code to disannex sparsely populated areas; and

WHEREAS, the disannexation of the property is in the interest of both the City and citizens of the City of Horseshoe Bay;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS, THAT:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. DISANNEXATION

The following property described herein is hereby disannexed from the City, and shall no longer be a part of the City of Horseshoe Bay:

15.06 acres out of the Levi Mercer Survey No. 2, Abstract No. 505 consisting of Lots 3, 4, and 5 Golf View Subdivision recorded in Volume 3, Page 78 of the Llano County Plat Records.

Beginning at a point being the Southwest corner of this 15.06 acres and being the Southwest corner of said Lot 3 and the Southeast corner of Lot 2.

Thence along the West line of this 15.06 acres and said Lot 3 and the East line of Lot 2 N05° 16'02"E, 714.66' to a point being the Northwest corner hereof and the Northeast corner of Lot 2;

Thence along the North lines of this 15.06 acres and said Lots 3, 4, and 5 the next 5 calls to a point are as follows:

Thence along a curve to the right, with a radius of 777.84', an arc length of 198.91', a delta angle of 14°39'07", and a bearing and distance of S85°53'28"E, 198.37';

Thence S78°33'50"E, 127.16';

Thence along a curve to the right C1, with a radius of 1524.74', an arc length of 99.96', a delta angle of 03°45'23", and a bearing and distance of S76°40'58"E, 99.94';

Thence S74°48'27"E, 379.31';

Thence along a curve to the right C2, with a radius of 120.23', an arc length of 134.11', a delta angle of 63°54'42", and a bearing and distance of S42°51'16"E, 127.27' being the Northeast corner hereof;

Thence along the East line of this 15.06 acres and said Lot 5 the next 2 calls to a point are as follows:

Thence S10°53'48"E, 467.29';

Thence S89°11'09"W, 284.09'; Thence N75°33'02"W, 429.31'; Thence S89°44'40"W, 245.43' to the Place of Beginning.

Such property is further shown on a map that is attached hereto as Exhibit A.

III. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

V. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

ADOPTED AND APPROVED on this 22nd day of January, 2008 by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

/S/

Robert W. Lambert, Mayor

Attest:

/S/

Teresa L. Moore, City Secretary

EXHIBIT A

MAP